United Nations A/HRC/31/NGO/114

General Assembly

Distr.: General
19 February 2016

English only

Human Rights Council
Thirty-first session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Arab NGO Network for Development, non-governmental organization on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[15 February 2016]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.16-02546(E)

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The right of Access to information in Bahrain

The right of access to information is stipulated in the Universal Declaration of Human Rights and by the Article 19 of the International Convent on Civil and Political Rights (ICCPR). The latter states that '*everyone has the right to hold opinions without interference. And that everyone has the right to freedom of expression. This right shall include freedom to seek various forms of information and ideas, receive and impart to others regardless of frontiers, either in writing or in print, in the form of art, or any other media of his choice.*'

Right to information is key for enhancing accountability, ensuring transparency and combatting corruption. Indeed, Article 10 of the UN Convention Against Corruption states that '*each State Party shall, in accordance with the fundamental principles of its domestic law, take such measures as may be necessary to enhance transparency in its public administration, including with regard to its organization, functioning and decision-making processes, where appropriate.*'

Bahrain as a state party to both ICCPR and UNCAC, presented a draft law on the right of access to information, yet the process stalled at the House of Representatives and Alshura, upon the Government dictation, on the pretext of the need for a prior law on safeguarding state secrets, including documents that could be covered by the law on freedom of access to information. The lack of a legislative framework coupled with restrictions implemented on the freedom of expression and opinion and limitations on media (visual, audio or written) and through social media channels (Facebook and twitter) worsen the situation on the ground.

Bahrain Transparency Society (BTS), a member of the Arab NGO Network for Development and BHRO undertook national advocacy during the draft law process to raise public awareness on the importance of such law and organized several seminars and workshops on the issue.[1] In this context ANND and BHRO recommend to the Government of Bahrain to:

1- Fulfill its commitments under the International human rights treaties particularly in relation to Article 19 of ICCPR and Article 10 of UNCAC and ensure full enjoyment of the right of access to information.
2- Fulfill its commitments towards protect, promote and respect of freedom of opinion, expression and faith
3- Enhance transparency and accountability implementing anti-corruption mechanisms and ensuring full enjoyment of the right of access to information, together with enabling accessibility and availability of timely, up-to-date, objective and factual information on State functioning and decision-making

Bahrain Human Rights Observatory, an NGO without consultative status, also shares the views expressed in this statement.

[1] The latest of these workshops took place on March 3rd, 2016 and was attended by various stakeholders including civil society and members of the Parliament.